

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Washington Avenue, 165' S of the
c/l 5th Avenue
(608 Washington Avenue)
13th Election District
1st Councilmanic District

Marvin W. Scott, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 99-436-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owners of the subject property, Marvin W. and Mabel M. Scott. The Petitioners seek relief from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of within 1 foot of the side property line in lieu of the minimum distance required of 7.5 feet for a proposed carport. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore

ORDER RECEIVED FOR FILING

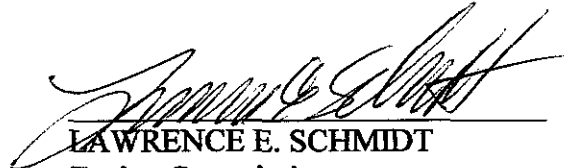
Date

By

County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of June, 1999 that the Petition for Administrative Variance seeking relief from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of within 1 foot of the side property line in lieu of the minimum distance required of 7.5 feet for a proposed carport, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

RECEIVED FOR FILING
DATE 6/11/99
BY [Signature]



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

June 11, 1999

Mr. & Mrs. Marvin W. Scott
608 Washington Avenue
Baltimore, Maryland 21227

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Washington Avenue, 165' S of the c/l of 5th Avenue
(608 Washington Avenue)
13th Election District – 1st Councilmanic District
Marvin W. Scott, et ux - Petitioners
Case No. 99-436-A

Dear Mr. & Mrs. Scott:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel; Case File



Printed with Soybean Ink
on Recycled Paper

Come visit the County's Website at www.co.ba.md.us



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 608 Washington Ave.
which is presently zoned D. R. 5.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 & 301.1; BC22,

TO PERMIT A SIDEYARD SETBACK FOR A CARPORT WITHIN
1 foot OF THE PROPERTY LINE IN LIEU OF THE REQUIRED
7.5 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

MARVIN W. & MABEL M. Scott
Name - Type or Print

Signature

MARVIN W. & MABEL M. Scott
Name - Type or Print

Signature

608 Washington Ave (410) 242-7712
Address Telephone No.

BALTIMORE MD 21227
City State Zip Code

Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO.

99-436A

Reviewed By

JLM

Date

5-5-99

Estimated Posting Date

5-16-99

ORDER RECEIVED FOR FILING

By 9/15/98

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 608 Washington Ave.
Address
BALTIMORE MD 21227
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

There are three people living in this home. My husband who is 82 years old and has trouble walking. My daughter who is 55 years old lost her right leg above the knee and requires help walking. I am 75 years old and need anything that will make it easier for all three of us. During the warmer months it would protect our car from the rain, birds and leaves from the tree, and in the winter it would protect our driveway & car from snow and ice. We would be able to get in our car without falling and return to our home more safely. This is probably the last car we will own and want to protect it.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Marvin W. Scott
Signature

MARVIN W. Scott
Name - Type or Print

Mabel M. Scott
Signature

MABEL M. Scott
Name - Type or Print

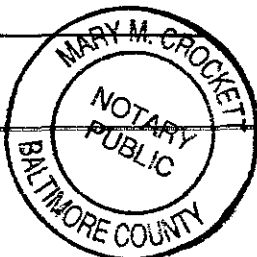
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19th day of April, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Marvin W. Scott and Mabel M. Scott
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

4/19/99
Date



Mary M. Crockett
Notary Public

My Commission Expires 4/1/2000

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

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That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Marvin W. Scott
Signature
MARVIN W. Scott
Name - Type or Print

Mabel M. Scott
Signature
MABEL M. Scott
Name - Type or Print

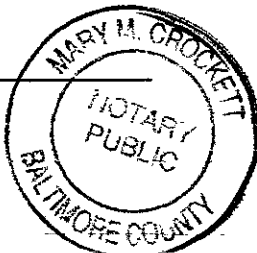
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 19th day of April, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Marvin W. Scott and Mabel M. Scott
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

4/19/99
Date



Mary M. Crockett
Notary Public
My Commission Expires 4/1/2000



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 608 Washington Ave
which is presently zoned DR, 5.5.

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.3.C.1 & 301.1, B&ZR,

To permit a sideyard setback for a carport within
1 foot of the property line in lieu of the required
7.5 ft.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City

State

Zip Code

Legal Owner(s):

MARVIN W. Scott
Name - Type or Print

Marvin W Scott
Signature

MABEL M. Scott
Name - Type or Print

Mabel M. Scott
Signature

608 Washington Avenue (410) 242-7712
Address Telephone No.

BALTIMORE MD 21227
City State Zip Code

Representative to be Contacted:

Same
Name

Address

Telephone No.

City

State

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this day of , that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-436 A

Reviewed By JCM Date 5.5.99

R20 9/15/98

Estimated Posting Date 5-16-99

ZONING DESCRIPTION

ZONING DESCRIPTION FOR # 608 WASHINGTON
AVENUE

LOCATED AT A POINT ON THE WEST SIDE OF
WASHINGTON AVE, 50 FEET WIDE AND
165 FEET MORE OR LESS SOUTH OF 5TH AVE,
50 FEET WIDE. A LOT OF GROUND LOT #9
BLOCK "B" IN THE SUBDIVISION OF
HILLSIDE. RECORDED IN BALTO. COUNTY
PLAT BOOK #2, FOLIO #305 CONTAINING
8,125 SQ. FT. KNOWN AS #608 WASHINGTON
AVENUE, LOCATED IN ELECTION DISTRICT 13
AND COUNCILMANIC DISTRICT 1

434

99-436-A

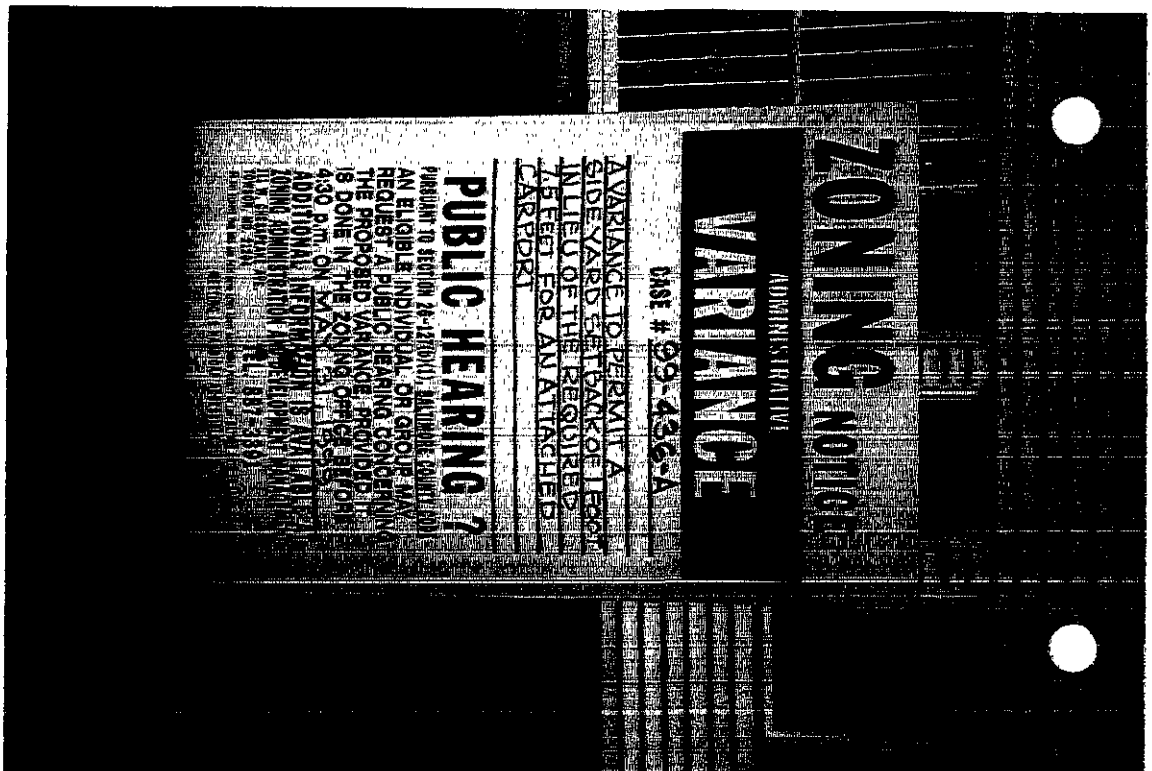
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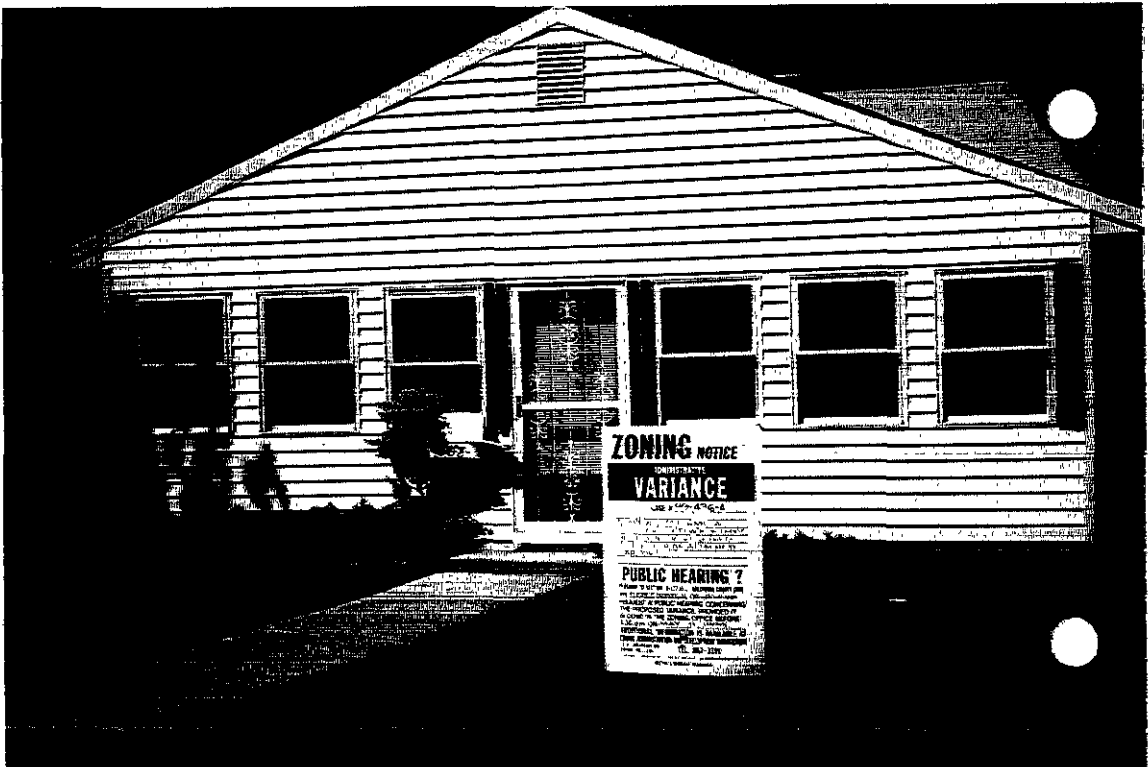
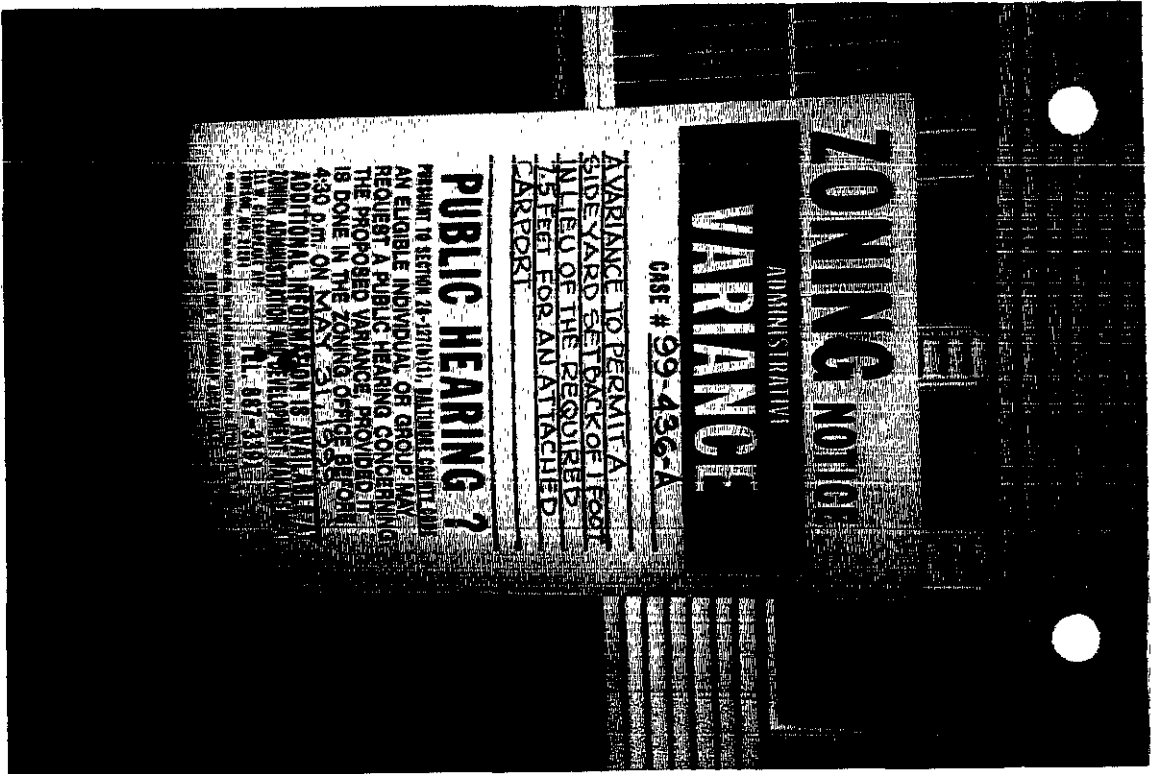
[illegible]

(c) A/c

YELLOW - CUSTOMER

99-436-A





CERTIFICATE OF POSTING

RE: Case No.: 99-436-A

Petitioner/Developer: _____

MARVIN SCOTT

Date of Hearing/Closing: MAY 31, 1999

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 608 WASHINGTON AVE.

The sign(s) were posted on MAY 15, 1999
(Month, Day, Year)

Sincerely,

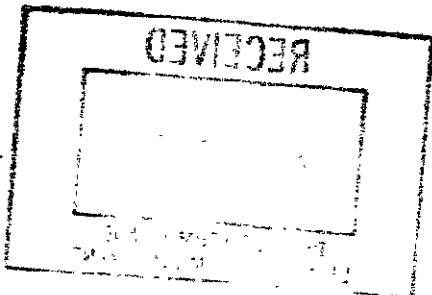
Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)



ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 436 -A Address 608 Washington Blvd.

Contact Person: J. Menz Phone Number: 410-887-3391
Planner, Please Print Your Name

Filing Date: 5-5-99 Posting Date: 5-16-99 Closing Date: 5-31-99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 99- 436 -A Address 608 Washington Blvd.
Petitioner's Name MARVIN ALAN SCOTT Telephone (410) 242-7712
Posting Date: 5-16-99 Closing Date: 5-31-99
Wording for Sign: A VARIANCE To Permit A SIDEYARD SETBACK of 1 foot
IN P LIEU of The Required 7.5 ft. for an
Attached CARPORT.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 436

Petitioner: MARVIN SCOTT

Address or Location: 608 Washington Ave. BALTO. Md. 21227

PLEASE FORWARD ADVERTISING BILL TO:

Name: Same.

Address: Same.

Telephone Number: (410) 242-7712

Revised 2/20/98 - SCJ

99-436-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 2, 1999

Mr. & Mrs. Marvin Scott
608 Washington Avenue
Baltimore, MD 21227

RE: Case No.: 99-436-A
Petitioner: Scott
Location: 608 Washington Avenue

Dear Mr. & Mrs. Scott:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on May 5, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: June 1, 1999

FROM: *[Signature]* Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
for June 1, 1999
Item Nos. 421, 426, 435, 436, 437,
438, 444, 445, 447, 448, 449, 450,
and 453

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: May 25, 1999

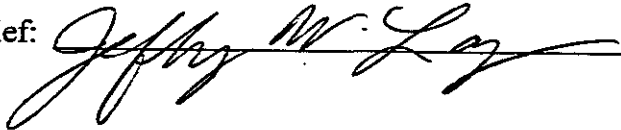
FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):
Item No (s): 426, 435, 436, 437, 438, 439, 444, 445, 446, 448 and 455

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:



AFK/JL



**Baltimore County
Fire Department**

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

June 2, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF May 24, 1999

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

426, 434, 435, 436, 437, 438, 439, 444, 445, 446, 447,
448, 449, 450, 451, 452, ~~453~~, and 455

REVIEWER: LT. ROBERT E. SAUSERWALD
Fire Marshal Office, PHONE 387-4931, MS-1101F

cc: File

RECEIVED

RECEIVED JUN 17 1999

Come visit the County's Website at www.co.ba.md.us



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 5.21.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204


RE: Baltimore County
Item No. 436 JCM

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

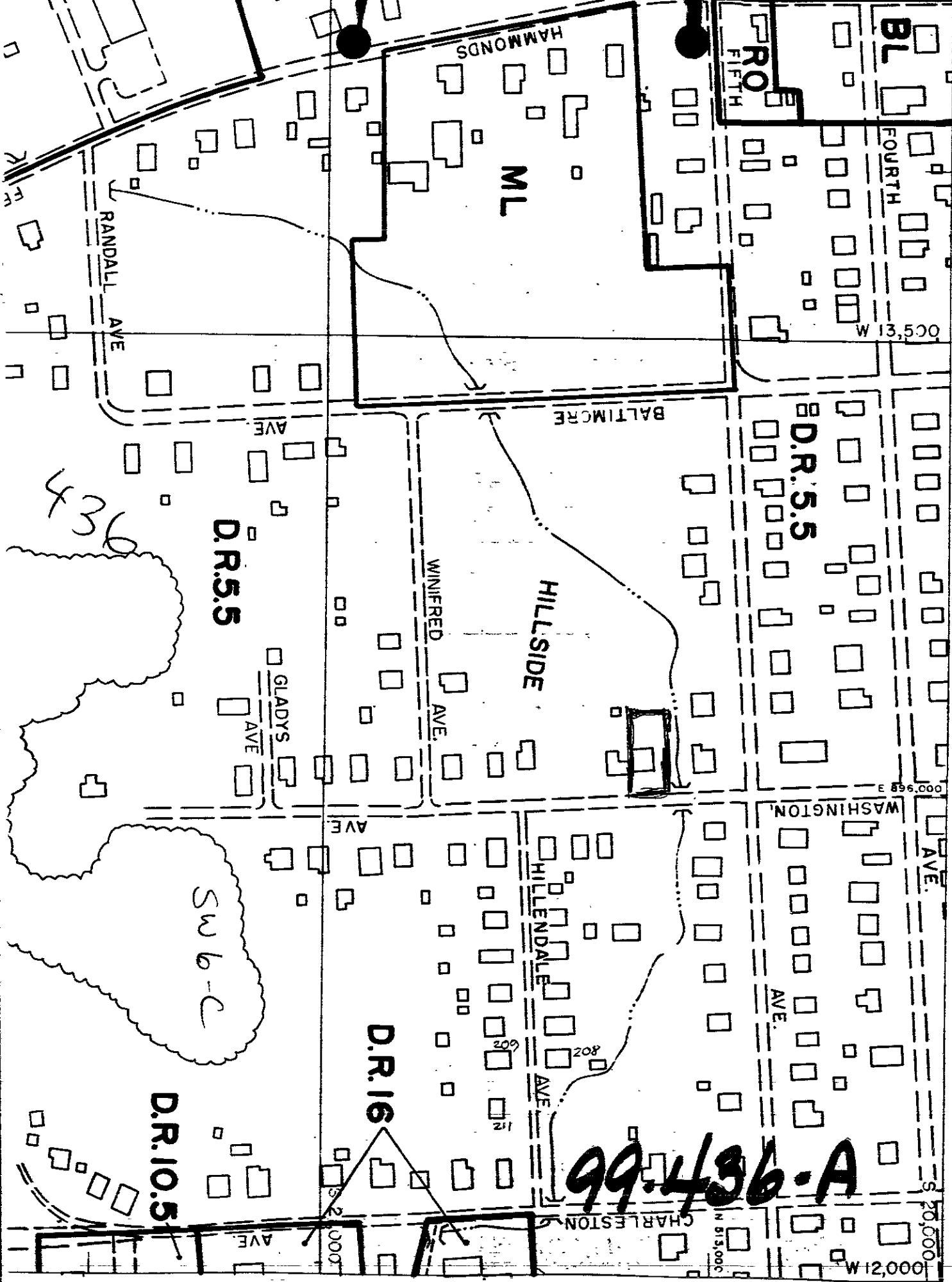
Very truly yours.


/s/ Michael M. Lenhart, Chief
Engineering Access Permits Division

My telephone number is _____

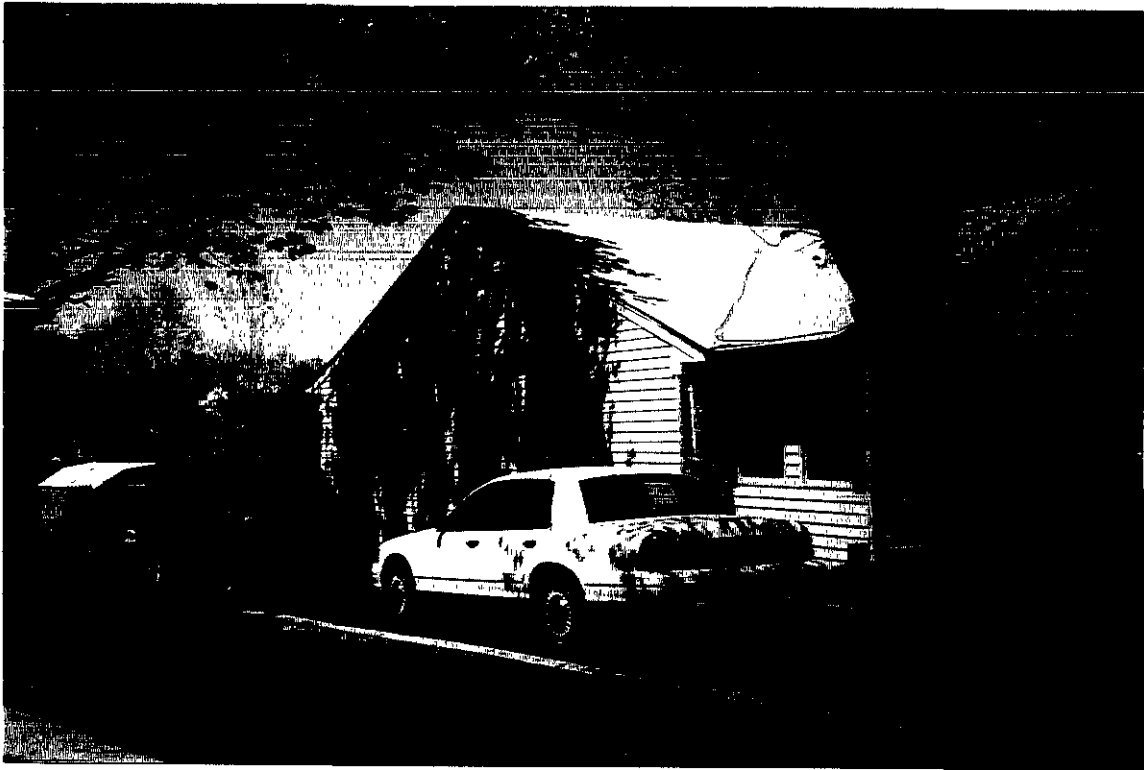
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



SW 6C

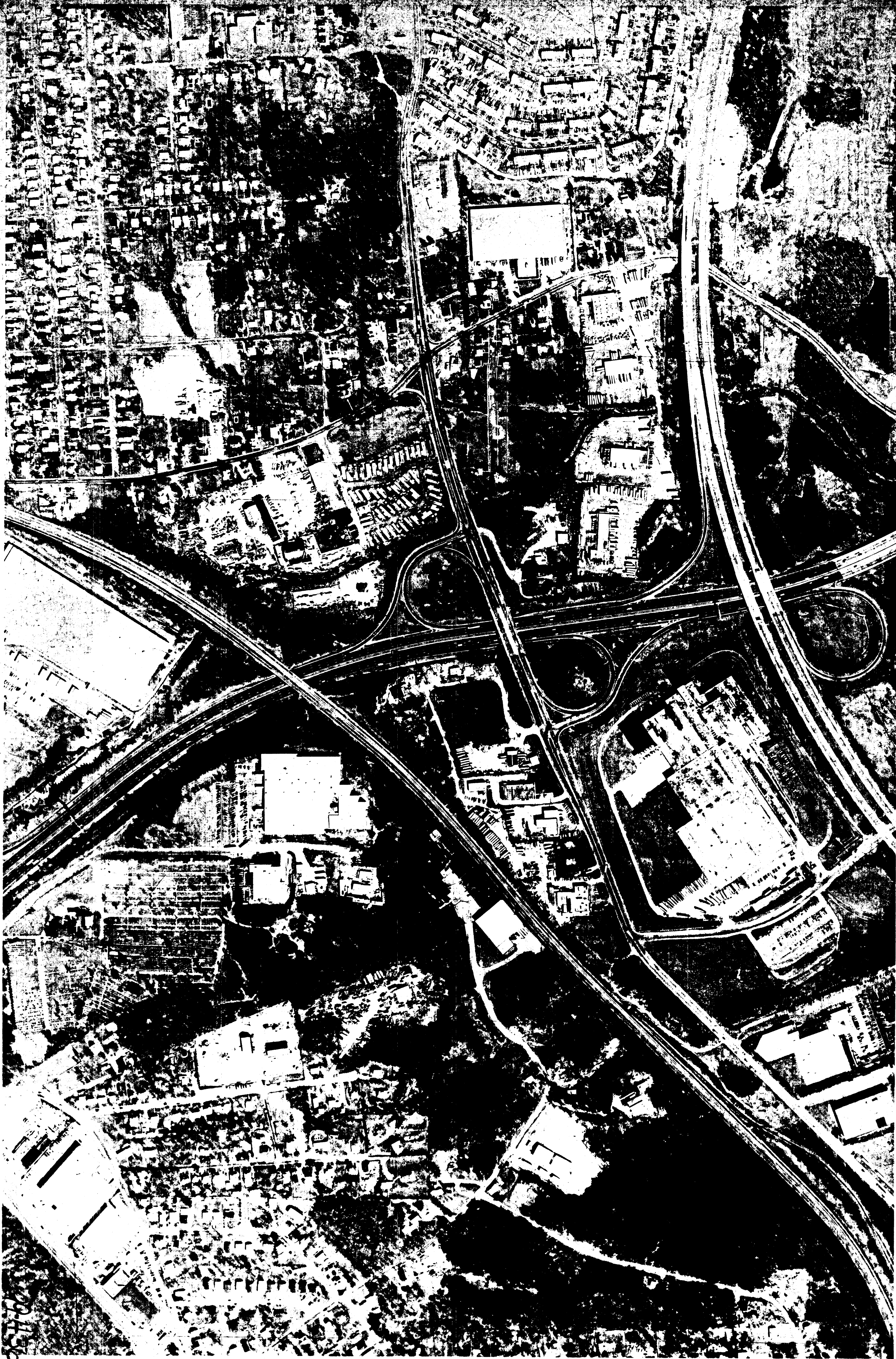
99-436-A



99-436-A



99-436-A



SCALE		LOCATION		SHEET	
1" = 200'					
DATE OF PHOTOGRAPHY		MONUMENTAL			
JANUARY 1968					

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W. V. 25401

004-36-A

539

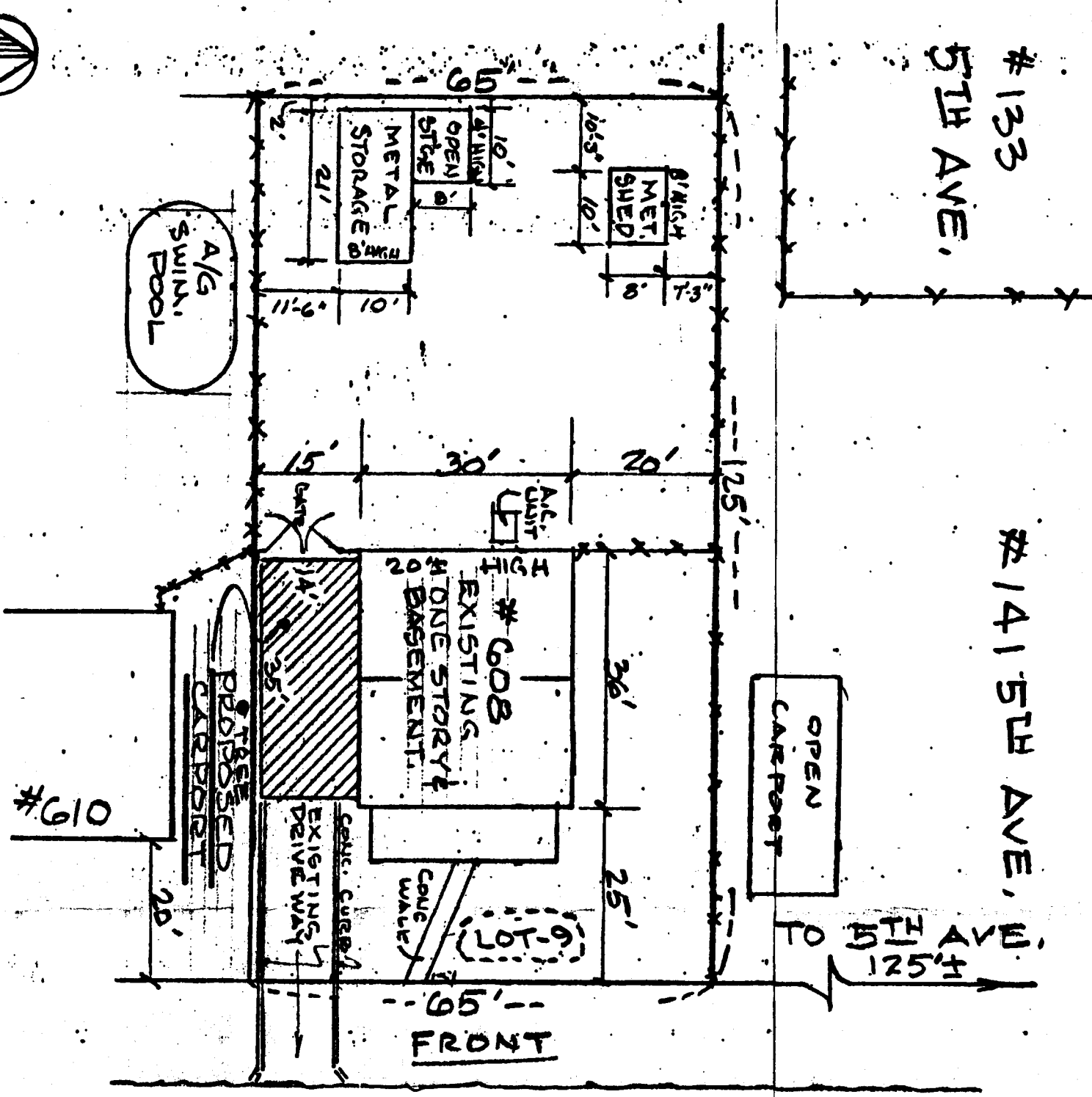
Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: #608 WASHINGTON AVENUE

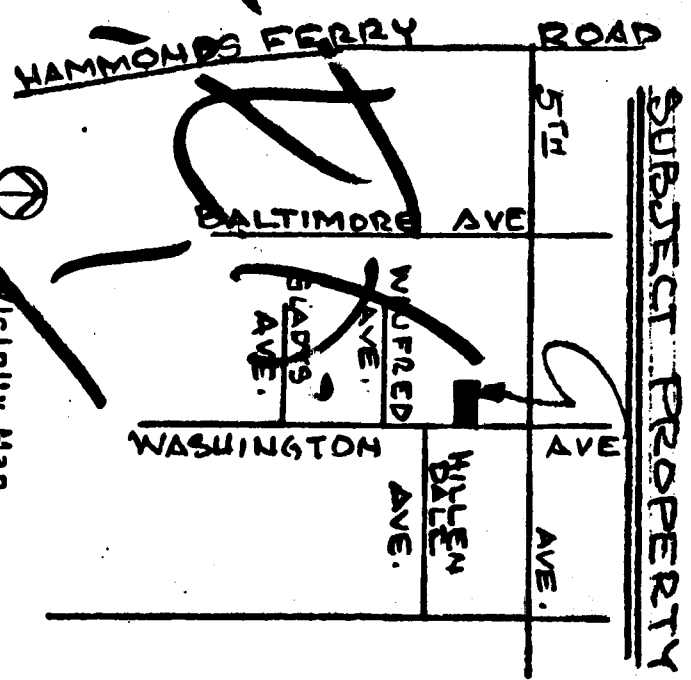
Subdivision name: HILLSIDE

plat book # 2, folio # 305, lot # 9, section #

OWNER: MARVIN W. AND MABEL M. SCOTT



WASHINGTON AVE. (50' R/W, 22' PAVING)



Vicinity Map
Scale: 1"=1000'

LOCATION INFORMATION

Election District: 13

Councilmanic District: 12I

1"=200' scale map: B.W. Co

Zoning: D.R. 5.5

Lot size: 8,125 square feet

- Public Private
- SEWER: ☒ ☐
- WATER: ☒ ☐
- Chesapeake Bay Critical Area: ☐ ☒
- Prior Zoning Hearings: ☐ ☒

Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

9/26/436

North
date: 4-13-99
prepared by: G.E. Moore
Scale of Drawing: 1"= 20'

99-436-A